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**HIGH COURT OF CHHATTISGARH, BILASPUR**

**W.P.(S) No. 5237 of 2007**

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| **PETITIONER** | | Smt. Manju Meshram W/o Shri Kishore Meshram, aged about 35 years, occupation- service, working as Female Health Worker, (ANM) posted at Primary Health Centre Tenganmada, Karwa Section, Community Health Centre, Kota, Tahsil – Kota, District Bilaspur (CG) |
| | | ***Versus*** |
| **RESPONDENTS** | 1 | The State of Chhattisgarh, through the Secretary, Department of Health Services, Chhattisgarh, Mantralay, D.K.S. Bhawan, Raipur (CG) |
| | 2 | The Director, Health Services, Chhattisgarh, Raipur (CG) |
| | 3 | The Collector, Bilaspur, District Bilaspur (CG) |
| | 4 | Chief Medical and Health Officer, Bilaspur, Tahsil and District Bilaspur (CG) |
| | 5 | Sub Divisional Officer (Revenue) cum of Enquiry Officer, Kota, Tahsil Kota District Bilaspur (CG) |
| | 6 | Block Medical Officer cum Presenting Officer, Kota, Tahsil Kota, District Bilaspur (CG) |

**WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA**

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**Appearance:**

Shri Rajesh Sharma, Advocate appears on behalf of Dr. T.N. Dubey, counsel for the petitioner.

Shri Ajay Dwivedi, Panel Lawyer for the State on advance copy.

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**ORAL ORDER**
**(11.09.2007)**

**Sunil Kumar Sinha, J.**

Heard.

The petitioner, who is working on the post of Female Health Worker (ANM), has challenged the validity of Enquiry Report dated 24.1.2007 (Annexure-P/1) as also the punishment order passed by the Disciplinary Authority on 21.6.2007 (Annexure-P/2), by which

two increments with cumulative effect have been withheld by the said authority. Admittedly, the proceedings have been drawn under the provisions of C.G. Civil Services (Classification Control & Appeal) Rule, 1966. There is a provision of departmental appeal in the said Rule.

Learned counsel for the petitioner submits that the petitioner has not filed any department appeal and she has directly filed this petition against the order of punishment imposed by the Disciplinary Authority.

Since the order is an appealable order and the statutory appeal is provided against the order, I am not inclined to entertain this writ petition.

At this stage, learned counsel for the petitioner seeks permission to withdraw this petition with liberty to file duly constituted appeal before Departmental Authority.

The prayer is allowed.

The petition is permitted to be withdrawn with the aforesaid liberty granted in favour of the petitioner. If after the decision of the appeal, some grievance is left with the petitioner, she may again come to this Court.

**Sd/-**
**Sunil Kumar Sinha**
**Judge**

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